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**UNITED STATES DISTRICT COURT**  
**CLARK COUNTY, NEVADA**

Frank Schurr, an individual

Plaintiff,

vs.

Twin Restaurant LV-1, LLC dba Twin Peaks, a  
domestic limited liability company, Twin Restaurant  
LV-2, LLC dba Twin Peaks, a domestic limited  
liability company, a foreign corporation; Twin  
Restaurant Holding, LLC a foreign limited liability  
company, Fat Brands Inc., a foreign corporation; Roe  
Distributors I through X, Roe Manufacturers I  
through X, Roe Business Entities, I through X; and  
DOE Individuals I through X; Inclusive,

Defendant.

Case No.: 2:22-cv-1759-CDS-DJA

**Stipulation and Order to Extend  
Discovery Deadlines**

(Fourth Request)

Pursuant to Federal Rule of Civil Procedure 29(b) and Local Rules IA 6-1, 7-1 and 26-3, the parties hereby submit the following Stipulation and Order to Extend Discovery Deadlines (Third Request) to extend the discovery deadlines and all related case management deadlines, as set forth the order granting the parties' discovery plan (ECF No. 59) for 180 days.

**I. Discovery Completed To Date**

- a. Plaintiff's Written Disclosures of Witnesses and Documents;
- b. Defendant's Written Disclosures of Witnesses and Documents;
- c. Written Discovery (Request for Production of Documents and Written Interrogatories) to Plaintiff;

d. Written Discovery (Request for Production of Documents and Written Interrogatories) to Defendants.

e. Additional written discovery (Request for Production of Documents, Request for Admission and Written Interrogatories) to Defendants.

## **II. Discovery Remaining**

a. Deposition of Plaintiff

b. Deposition of 30(b)(6) Witness

c. Deposition of Percipient Witnesses

d. Deposition of Experts

## **III. Reasons for Requested Extension**

The parties would like an additional 180-days because new parties are joining this case. Previously, the parties extended the discovery deadlines 90 days (ECF No. 58) because on April 21, 2023, Plaintiff filed a motion for leave to amend his complaint (ECF No. 34). This motion would add Sysco Las Vegas, Inc., Sysco USA 1, Inc. and Sysco Corporation (the “Sysco Entities”). The Sysco Entities did not appear until October 20, 2023 (ECF No. 65). Two of the Sysco Entities were later dismissed also (ECF No. 64). The parties now wish to add additional parties (National Frozen Foods Corporation and PNW Veg Co, LLC) and Plaintiff will be filing a stipulation soon to add them as defendants. Because of these new parties, the parties wish to extend discovery for a sufficient time to allow for retention of experts and deposition of fact witnesses. The parties have learned that travel may be necessary for the inspection of the object that caused Plaintiff’s injury and it is likely that the new parties will want to conduct written discovery first after joining to better prepare for experts. Thus, the time proposed is not unreasonable.

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#### IV. Current Dates and Requested Extensions

Event	Current Date	Proposed Date
Last Date to Add Parties or Amend Complaint	December 13, 2023	July 26, 2024
Last Date to Disclose Initial Expert Witnesses	December 13, 2023	July 26, 2024
Last Date to Disclose Rebuttal Expert Witnesses	January 12, 2024	August 26, 2024
Close of Discovery	March 29, 2024	September 25, 2024
Dipositve Motions	April 26, 2024	October 25, 2024
Pre-Trial Order	May 24, 2024	November 22, 2024

 <p><u>/s/ Jonathan C. Pattillo, Esq.</u>  Michael P. Lowry, Esq.  Nevada Bar No. 10666  Jonathan C. Pattillo, Esq.  Nevada Bar No. 13929  Attorneys for Twin Restaurant LV-2, LLC;  Twin Restaurant Holding, LLC; Fat Brands Inc.</p>	<p>VALIENTE MOTT, LTD.</p> <p><u>/s/James A. Trummell, Esq.</u>  James A. Trummell, Esq.  Nevada Bar No. 14127  Timothy A. Mott, Esq.  Nevada Bar No. 12828  Attorneys for Plaintiff</p>
<p>TYSON MENDES LLP</p> <p><u>/s/Griffith Hayes, Esq.</u>  Griffith H. Hayes, Esq.  Nevada Bar No. 7374  Attorneys for Sysco las Vegas, Inc.</p>	

#### Order

IT IS SO ORDERED.

DATED: 11/27/2023

  
United States Magistrate Judge